

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६
च्या कलम ३७(२) अन्वये नवी मुंबईच्या विकास
मंजूर नियंत्रण नियमावलीत करावयाच्या फेरबदलाची
अधिसूचना.

महाराष्ट्र शासन,
नगर विकास विभाग,
शासन निर्णय क्रमांक: टिपीबी-४३०५/१२८९/प्र.क्र.२१६/२००५/नवि-११
मंत्रालय, मुंबई : ४०० ०३२, दिनांक: १३ सप्टेंबर, २००५

शासन निर्णय:- सोबत जोडलेली अधिसूचना महाराष्ट्र शासनाच्या साधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,

(सु. रा. किणी)

अवर सचिव, महाराष्ट्र शासन.

प्रति,

व्यवस्थापकीय संचालक, सिडको, निर्मल, दुसरा मजला, नरिमन पॉइन्ट, मुंबई-२१.

मुख्य वास्तुविशारद व नियोजक, सिडको, सिडको भवन, बेलापूर, नवी मुंबई.

संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.

उपसंचालक, कोकण विभाग, कोकण भवन, नवी मुंबई.

व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना महाराष्ट्र शासनाचे असाधारण राजपत्र भाग-१ कोकण विभाग पुरवणीमध्ये प्रसिध्द करण्यात येवून त्याच्या प्रत्येकी २५ प्रती नगर विकास विभाग, मंत्रालय, मुंबई व उपसंचालक, नगर रचना, कोकण भवन यांना पाठविण्यांत याव्यात.)

कक्ष अधिकारी (नवि-३/आस्था), नगर विकास विभाग, मंत्रालय, मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रदर्शित करण्याबाबत आवश्यक ती कार्यवाही करावी)

निवडनस्ती (नवि-११).

सेक्शन ३७ फाईल.

**Maharashtra Regional and Town
Planning Act, 1966.**

**Sanction to Modification u/s 37(2) of
Modification to General Development
Control Regulations (GDCR) for Navi
Mumbai.**

**Government of Maharashtra
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated 13th September, 2005**

NOTIFICATION

**Maharashtra
Regional &
Town Planning
Act 1966.**

No. TPB- 4305/1289/CR-216/2005/UD-11:-

Whereas the Government of Maharashtra in exercise of the powers conferred by sub-section (3A) of the section 113 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") declared by Notification, Urban Development, Public Health and Housing Department, No. RPB 1171/18124/113/II-W, dated the 20th March, 1971, and by Notification Urban Development, Public Health and Housing Department No. RPB 1173-II RPC, dated the 16th August, 1973, City and Industrial Development Corporation of Maharashtra Limited (being a company owned and controlled by the Government of Maharashtra) (hereinafter referred to as "the said Corporation") as the New Town Development Authority for the said area comprised in the site of Navi Mumbai as specified therein;

And whereas, in exercise the powers conferred by the provisions of the said Act and all the powers enabling it in this behalf the said Corporation made the General Development Control Regulation (GDCRs) for Navi Mumbai, (hereinafter referred to as "the said Regulations");

And whereas, the Government of Maharashtra in the Urban Development and Public Health Department approved the Development Plan Navi Mumbai together with the said Regulations in exercise of the powers conferred by the section 31 of the said Act, by Notification No. RPB 1175/635/B-UD-5 dated the 18th August, 1979, published in the Maharashtra Government Gazette, dated 27th September, 1979;

And whereas the said Corporation ceased on and from 16th December, 1994 to be the Planning Authority in certain areas of Navi Mumbai w.e.f.16/12/94, more particularly specified in the schedule to the Government order No. NMC 1692/1187/CR-138/94/UD-24 dated 16th December, 1994, for which the Navi Mumbai Municipal Corporation is the Planning Authority in substitution to the said Corporation;

And whereas, the Govt. vide its Order No.TPB 4303/13/CR-249/03/UD-11 dated 17/6/2004 has issued directives under section 37(1) of the said Act to modify the Development Control Regulation for permitting fitness centre free of FSI in the plots allotted to Co-op. Housing Societies or Apartment Owner Association with some conditions;

And whereas, the said Corporation decided to make further amendments/modifications (hereinafter referred to as "the said Modification") in the said Regulation as specified in the Schedule annexed therein as per the above Governments directives for application to Navi Mumbai exclusive of the area encompassed within the territorial jurisdiction of the Navi Mumbai Municipal Corporation as the Planning Authority;

And whereas, the said Corporation, after following legal formalities laid down under section 37 of the said Act, has submitted the said modification proposal to Government for sanction vide letter No.CIDCO/CAP/381 dated 24/5/2005;


And whereas, the said Corporation has informed that no suggestion/objection were received from the Public with regard to the aforesaid modification;

And whereas, after consulting the Director of Town Planning, Maharashtra State, Pune, the Government is of the opinion that the said modification should be approved with some changes;

Now, therefore, in exercise of the powers conferred by sub-section (2) of the said Act, Government hereby:-

- a) Sanctions the said modification proposal as described in the Schedule attached herewith;
- b) fixes the date of publication of this Notification in the official gazette as the date of coming into force of these modification;
- c) directs the said Corporation that in the schedule of modifications appended to the aforesaid modification sanctioning the said Regulations after the last entry, the above (a) shall be added.

By order and in the name of the Governor of Maharashtra,



(S.R. Kini)

Under Secretary to Government.

SCHEDULE

Accompaniment to Urban Development Department's Notification No. TPB 4305/1289/CR-216/05/UD-11 dated August, 2005.

Sr. No.	Reg. No.	Modification proposed by CIDCO	Modification sanctioned by Govt.
1	New sub-regulation 29 in Reg.3	<p>Addition of new definition after proposed Sub-Regulation 28 of Regulation 3 of the GDCRs:</p> <p>Fitness Centre:</p> <p>Fitness center in a building means and includes the building premise provided in the building including gymnasium for the benefit of its inmates and for the purpose of fitness, physical exercises, yoga and such other activities as may be permitted by the Corporation from time to time.</p>	<p>Addition of new definition after proposed Sub-Regulation 28 of Regulation 3 of the GDCRs:</p> <p>Fitness Centre:</p> <p>Fitness center in a building means and includes the building premise provided in the building including gymnasium for the benefit of its inmates and for the purpose of fitness, physical exercises, yoga and such other activities as may be permitted by the Corporation from time to time.</p>
2	New clause j in 3.11	<p>Addition of new clause No.: j in Sub-Regulation 11 of Regulation 3 at the end of proposed clause (i)</p> <p>Addition of the following:</p> <p>Area of fitness center, including toilet facilities, in an existing or proposed Co-operative Housing Society or the Apartment owners Associations in accordance with the provisions under 16.3(11).</p>	<p>Addition of new clause No.: j in Sub-Regulation 11 of Regulation 3 at the end of proposed clause (i)</p> <p>Area of fitness center, including toilet facilities, in an existing or proposed Co-operative Housing Society or the Apartment owners Associations in accordance with the provisions under 16.3(11).</p>

3	<p>Addition of new clause 11 in Sub-regulation 3 of Reg. 16</p> <p>Fitness Center:</p> <p>a) A fitness centre upto an area of 20 sq.mt. or 2% of the total builtup area of the building whichever is more shall be allowed free of FSI. Any additional builtup area in excess of this limit would be considered in computation of the FSI.</p> <p>b) Ownership of such Fitness Center shall vest only with the Co-operative Housing Society or the Apartment Owner Association as the case may be.</p> <p>c) Fitness Center as per the above specifications shall be permitted subject to payment of additional premium as may be decided by the Corporation from time to time.</p>	<p>Addition of new clause 11 in Regulation 16.3.</p> <p>Fitness Centre:</p> <p>In every residential building, constructed or proposed to be constructed for the use of a Co-operative Housing Society or an Apartment Owners Association, a fitness centre will be permitted subject to following conditions -</p> <p>(i) The area of such centre shall be equivalent to 2(two) percent of the total area of the building however it shall not be less than 20 sq.mt. and more than 200 sq.mt.</p> <p>(ii) The centre shall not be used for any purpose other than for fitness centre activities.</p> <p>(iii) The fitness centre activities shall be confined to the members of the concerned housing society only.</p> <p>(iv) The benefits of this provisions shall be applicable prospectively and it shall not be extended for the purpose of regularisation of already built up structures constructed without permission.</p> <p>(v) The ownership of the structure for Fitness Centre shall vest with the concerned society or association.</p>
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(S.R. Khatri)

Under Secretary to Government.